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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,889	06/21/2000	Christopher Kershaw	SCHW-800-(US)	6362

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EXAMINER

CHUONG, TRUC T

ART UNIT	PAPER NUMBER
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2174

8

DATE MAILED: 09/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/598,889

Applicant(s)

KERSHAW ET AL.

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:
It does not identify the citizenship of each inventor.

Claim Rejections - 35 USC § 112

2. Claim 1 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. The term "substantially similar subject matter" in claim 1 is a relative term which renders the claim indefinite. The term "substantially similar subject matter " is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Leshem et al. (U.S. Patent No. 5,870,559).

As to claim 1, Leshem teaches a method for comparing information from a plurality of items on a visual display (col. 2 lines 21-24; Map Comparison, col. 30 line 54-col. 31 line 26 and figs. 21-22), comprising the steps of

(a) identifying with a common tag (icons are used to represent the different URL types, col. 8 lines 14-26 and col. 9 lines 1-18), passages in the information for each of the plurality of items which relate to substantially similar subject matter (col. 2 lines 25-46);

(b) providing a different display area in the visual display for each of the plurality of items (col. 9 lines 19-37 and figs. 3-6, 14, and 23); and

(c) displaying in each of the display areas the passages from each of the plurality of items which are identified by a designated common tag (col. 9 lines 57-67, TABLE 1, col. 10 lines 1-15, col. 11 lines 8-65, and figs. 4-5, and 22).

As to claim 2, Leshem teaches the method of claim 1 wherein the plurality of items are securities and the information being compared is information about the securities (Complete Path Display, col. 30 lines 34-41).

As to claim 3, Leshem teaches the method of claim 1 wherein the information about the plurality of items is found in reports compiled for each of the plurality of items, and each of the common tags is an anchor link (col. 11 lines 8-65).

As to claim 4, Leshem teaches the method of claim 3 wherein the reports are compiled by an information server (Web site's server, col. 3 lines 7-29).

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As to claim 5, Leshem teaches the method of claim 4 wherein the information server inserts the common tags into the reports (log file, col. 3 lines 7-29).

As to claim 6, Leshem teaches the method of claim 4 wherein the information server is located remotely from the visual display (computer network, col. 9 lines 1-18).

As to claim 7, Leshem teaches a method of providing comparative information in a visual display about a plurality of items, wherein information about the plurality of items includes portions relating to common topics, and further wherein the portions on common topics are identified in the information by identifying tags, the method comprising the steps of

- (a) providing a navigational frame (figs. 4-5);
- (b) providing a plurality of dynamic frames (figs. 1-2);
- (c) receiving in the navigational frame a user designation of the items to be compared; (d) displaying in each of the dynamic frames the items designated to be compared (col. 2 lines 21-24; Map Comparison, col. 30 line 54-col. 31 line 26 and figs. 21-22).

As to claim 8, Leshem teaches the method of claim 7 further including the steps of

- (a) receiving in the navigational frame a user designation of an identifying tag;
- (b) displaying in each of the dynamic frames the portion of the information on the designated items to be compared corresponding to the designated identifying tag.

As to claim 9, Leshem teaches the method of claim 7 further including the step of compiling the information about the plurality of items in a server located remotely from the visual display (Web site's server, col. 3 lines 7-29, and col. 32 lines 19-35).

As to claim 10, Leshem teaches the method of claim 9 further including the steps of

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(a) sending a request to the server for reports about the items designated in the navigational frame (request to server, col. 9 lines 1-18);

(b) compiling in the sever the requested reports (process of sending request, col. 9 lines 1-18); and

(c) communicating the requested reports to the visual display (append the results to the map, col. 9 lines 45-55).

As to claim 11, Leshem teaches the method of claim 10 wherein the compiling step includes the step of assembling frames for the reports corresponding to each of the portions on the common topics (re-scanning process, col. 10 lines 54-67).

As to claims 12-14, they are apparatus claims of method claims 7-8, and 10. Note the rejections of claims 7-8, and 10 above respectively.

As to claim 15, it is individually similar in scope to claim 10 above; therefore, rejected under similar rationale.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Borman et al. (U.S. Patent No. 6,226,655 B1) teach topics, links, compare, navigation, display, server, and request (cols. 3-13 and figs. 1-9B).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Truc T. Chuong

08/21/03

Kristine Kincaid
KRISTINE KINCAID
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